

and the decision makers did not even know he was testifying; and (3) repeatedly referencing “diversity bonuses,” “targets” and “quotas” when arguing Plaintiff was improperly terminated to further diversity initiatives where the uncontroverted evidence established that no such bonuses, targets or quotas even existed during Plaintiff’s employment.

3. Plaintiff and Plaintiff’s counsel’s misconduct, which is further described in Novant Health’s Memorandum in Support of this Motion, presents a textbook example of when sanctions pursuant to the Court’s inherent authority are both warranted and necessary to protect the integrity of the judicial process and to deter similar inappropriate conduct in the future.

For the reasons set forth above, and those set forth in Novant Health’s Memorandum in Support of this Motion, Novant Health respectfully requests that the Court grant its Motion for Sanctions and issue such sanctions as it deems appropriate, including dismissal of this action with prejudice, an award of attorneys’ fees to Novant Health for bringing this motion, and/or such other relief the Court deems just and proper. Novant Health further request that the Court schedule oral argument on this Motion.

(Signature block appears on the next page.)

Dated this 1st day of February, 2022.

s/ Benjamin R. Holland

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CERTIFICATE OF SERVICE

I, Benjamin R. Holland, hereby certify that I have this day electronically filed the foregoing **DEFENDANT NOVANT HEALTH, INC.'S MOTION FOR SANCTIONS** with the Clerk of Court using the CM/ECF system, which will send notification of the filing to the following person:

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